

REMARKS

This Amendment is in response to the Office Action of June 27, 2007 in which claims 1-35 were rejected. A single new claim (claim 36) is added, claims 3, 14 & 21 are cancelled, so that claims 1-2, 4-20 & 22-36 are pending. The independent claims are 1, 11, 19, 22 & 33-34. The limitation of new claim 36 may be found on page 11, lines 10-12 of the Application as filed ("There may be some restrictions so that some (unauthorised) applications are not allowed to use the accessory library 3.").

Objections to the Specification:

At section 3 of the Office Action, use of uncapitalized trademark terms throughout the specification is objected to. The specification has been variously amended so as to address the Office's objection.

At section 4 of the Office Action, the Abstract is objected to for use of legal phraseology and phrases which can be implied. The Abstract has been amended so as to address the Office's objection.

Claim rejections - 35 USC 112:

At section 6 of the Office Action, claims 1-35 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

Claims 1-35 have been amended so as to replace the term "accessory" with the term "accessory device." Applicants believe this amendment is obvious in light of the original specification, as well as the Office's remark that "accessory" is "interpreted as an accessory device." Applicants observe, however, that the term "accessory" is used throughout WO 99/53621 to Blow (hereinafter Blow).

Claim 15 is further rejected on the grounds that it contains the trademark/trade name JAVA and VISUAL BASIC. The claim is amended so as to generically recite a library comprising computer program code having computer readable instructions, rather than listing trademarked terms.

Applicants therefore respectfully request that all rejections under 35 USC 112 be reconsidered and withdrawn.

Claim rejections - 35 USC 101:

At section 8 of the Office Action, claim 33 is rejected under 35 USC 101 for being directed to non-statutory subject matter. The claim is amended to recite a computer program product including a computer readable storage medium embodying computer program code. As computer readable storage medium is a tangible object, the claim is believed statutory in nature. Applicants therefore respectfully request that the rejection under 35 USC 101 be reconsidered and withdrawn.

Claim rejections - 35 USC 102:

At section 10 of the Office Action, claims 1-6, 10-14, 19-28 & 32-35 are rejected under 35 USC 102(b) as being anticipated by Blow.

As to claim 1: Claim 1 is amended so as to recite "wherein said interface is configured for making said library available to said electronic device directly and without downloading from said accessory device so as to be accessible as if said library were installed on said electronic device." The limitation was originally found in claim 3, although it has been rephrased for the sake of clarity. Support for the clarification may be found on p. 9, lines 29-32 of the Application as filed:

At some stage the device 1 detects 405 that it is connected with the accessory 2. The device discovers the accessory 2 and identifies it and downloads 407 the library 3 or makes it available for applications directly from the accessory 2.

The first paragraph on page 12 discloses how the library can be used directly from the accessory:

When the library 3 is accessed by an application running on the device 1 the device 1 and the accessory 2 communicate to make the library 3 of the accessory 2 accessible to the application as if the library 3 were installed on the platform 4 of the device 1.

The last paragraph on page 11 provides that in at least one embodiment "libraries 3 of the accessory are not downloaded to the device 1 but they are made available to the device 1 by using other means."

The Office argued that this limitation reads on Blow's teachings, i.e., "download of the accessory interface software code from accessory interface memory 118 in external accessory 102 to interface upload memory 106 in mobile station 100," Blow p. 6, lines 26-30. Applicants respectfully contest the Office's estimation.

Blow teaches that after a successful download of the accessory interface software code from the accessory interface memory of the external accessory to the interface upload memory in the mobile station, the mobile station controller begins to execute the instructions contained in the accessory interface software. It is therefore clear that the accessory interface software is first downloaded to the mobile station and then executed from the memory of the mobile station. It is not accessible as if it were installed on said electronic device; rather, it is installed in (or at least downloaded to) said electronic device.

Corresponding limitations have been added by amendment to all independent claims. Applicants therefore respectfully request that all rejections under 35 USC 102(b) be reconsidered and withdrawn.

As to claim 10: Blow further teaches on page 6, lines 30-35 that if the external accessory is a hands-free car adapter having an auxiliary speaker, the accessory interface software stored in the interface upload memory may contain the algorithms for controlling the volume of the auxiliary speaker. This is not the same as what is presently claimed. In Blow, the algorithms are clearly part of the accessory interface software, but in the present application the term *application* can mean an application which is not part of the library.

Such an application can be stored in the accessory and downloaded from there but the application need not belong to the interface software.

Applicants therefore respectfully request that the rejection of claim 10 under 35 USC 102(b) be reconsidered and withdrawn.

Claim rejections - 35 USC 103:

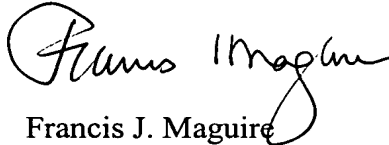
At parts 12-15 of the Office Action, claims 7-9, 15-18, 29 & 30-31 are rejected under 35 USC 103(a) as being unpatentable over Blow in view of a variety of secondary references.

As neither Blow nor any cited reference teaches or suggests the new limitation making said library available to said electronic device directly and without downloading from said accessory device so as to be accessible as if said library were installed on said electronic device, Applicants respectfully request that all rejections under 35 USC 103(a) be reconsidered and withdrawn.

Conclusion

The objections and rejections of the Office Action of June 27, 2007, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-36, as amended, to issue is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire". The signature is written in a cursive, flowing style with a large initial "F" and a long, sweeping underline.

Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391

FJM/mo
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, Connecticut 06468
(203) 261-1234